

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, February 8, 2000 at the Lexington Municipal Building, 406 East 7th Street, Lexington, Nebraska at 7:30 p.m. Members of the Council present were Mayor John Fagot, Neal Kohl, John Wightman, Rick Klamm, Ted Cook. City Officials present were City Clerk Leon E. Malzahn, City Attorney Willard Weinhold, City Manager Vance Bricker. Department Heads present were Assistant City Manager Joe Peplitsch, Charles Clark, Ruth Seward. Also present were Dana Daniels and Bob Blankenship, representing Miller and Associates. Citizens in attendance were Greg Lauby, and Chuck Mooberry. The Press was represented by KRVN, Clipper-Herald, Tri-City Tribune, and Kearney Hub.

NOTICE: Notice of the meeting was given in advance, thereof by publication in the Lexington Clipper-Herald, the designated method for giving notice, as shown by the Affidavit of Publication attached to these Minutes. Notice of this meeting was simultaneously given to the Mayor and all members of the Council, and a copy of their Acknowledgment of Receipt of Notice and the Agenda is attached to these Minutes. Availability of the Agenda was communicated in advance notice and in the notice to the Mayor and Council of this Meeting. The proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public. All items presented and discussed on the Agenda were available for public inspection.

CALL TO ORDER: The meeting was called to order by Mayor Fagot.

MINUTES – REGULAR MEETING – 1-25-00: Minutes of the Regular Meeting held January 25, 2000 was presented for Council’s consideration and approval. Moved by Klamm, seconded by Kohl, to approve the minutes of the Regular Meeting held January 25, 2000 as presented. Roll call. Voting “aye” were Cook, Wightman, Kohl, Klamm, Fagot. Motion carried.

MINUTES – COUNCIL RETREAT – 2-5-00: Minutes of the Council Retreat held February 5, 2000 was presented for Council’s consideration and approval. Moved by Wightman, seconded by Klamm, to approve the minutes of the Council Retreat held February 5, 2000 as presented. Roll call. Voting “aye” were Kohl, Cook, Klamm, Wightman, Fagot. Motion carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$612,270.50 were presented for Council’s consideration and approval. Upon review of the claims and bills as listed, moved by Kohl, seconded by Klamm, to approved the claims and bills as listed, and authorize the City Treasurer to transfer \$112,750.52 from the General fund, \$476,416.26 from LEXUS, \$10,000.00 from City Sanitation fund, \$280.48 from the Landfill fund, \$5,174.29 from the Health fund, \$7,454.86 from Meals on Wheels Fund, \$194.09 from the Library House Fund to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Wightman, Cook, Klamm, Kohl with the exception of Mr. Automotive, Fagot. Motion carried.

CITY OF LEXINGTON
ACCOUNTS PAYABLE
FEBRUARY 8, 2000 COUNCIL

ALAMAR UNIFORM CO.	NECK TIES	20.00
ALLTEL	JANUARY CELLULAR CHARGES	199.78
AMERICAN NAT RED CROSS	LEARN TO SWIM STUDENT FEES	136.50
AQUA-TRONICS, INC.	REPAIR LOCATOR	272.02
BARMORE'S	OFFICE SUPPLIES	33.68
BERNTSON OIL	DIESEL	39.00

BUSINESS & PROF CREDIT	UTILITY COLLECTIONS	257.70
C.B.S.A.	INSURANCE PREMIUMS	8,175.11
C.B.S.A.	EMPLOYEE MEDICAL CLAIMS	3,500.03
CENTRAL COMM COLLEGE	SEMINAR ON ENC SPACES	160.00
CENTRAL GARAGE FUND	JANUARY GAS AND DIESEL	4,346.60
CENTURY LUMBER CENTER	LUMBER	12.98
CLARK ENERSEN PRTRNS, THE	PRE-FUND RAISING SERVICE	2,745.89
CONNEY SAFETY PRODUCTS	FIRST-AID SUPPLIES	247.60
COUNTRY GENERAL	MISC. SUPPLIES	214.06
CULLIGAN WATER COND CO.	GGC & WWTP WATER TRTMNT	75.90
DAN'S SANITATION	UTILITY SOLID WASTE FEES	10,000.00
DAWSON CO CLERK	DISPATCH FEES	5,623.73
DAWSON CO PUBLIC POWER	JANUARY POWER CHARGES	304.68
DAWSON COUNTY ROAD DEPT	STEEL SIGN POSTS	84.60
DEMCO	LIBRARY BOOKS	23.51
DeZURIK	PLUG VALVES	1,676.37
DRUMMOND AMERICAN CORP	SUPPLIES	366.18
EAKE'S OFFICE PRODUCTS	OFFICE SUPPLIES	579.25
ECLIPSE COMMUNICATIONS	LONG DISTANCE CHARGES	225.45
EGAN SUPPLY COMPANY	CLEANING SUPPLIES	93.05
ELECTRIC FIXTURE	ELECTRICAL SUPPLIES	1,266.08
FAMILY EYEWEAR	SAFETY GLASSES/NELSON	140.00
FIVE POINTS BANK	COPIER PAYMENT	205.12
FULLER, T.L.	SIGN LANGUAGE VIDEO	24.99
FYR-TEK	LITEBOX	224.10
GALL'S INC.	SWITCH	7.98
GILLETTE/NE DAIRIES, INC.	DAIRY PRODUCTS-GGC	188.99
GOV FINANCE OFFS. ASSN.	MEMBERSHIP DUES - MILLS	130.00
GREAT PLAINS ONE-CALL SVC	UTILITY LOCATE CHARGES	31.92
HAAS, T.O., TIRE CO., INC.	REPLACE TIRES	521.78
HARLEQUIN RETAIL, INC.	LIBRARY BOOKS	10.52
HIPP WHOLESALE FOODS, INC.	FOOD AND SUPPLIES	420.23
HOFFERBER, DAVE	ELECTRIC REBATE	1,800.00
INS & PERSONNEL SERVICES	EMPLOYEE'S 125 ACCOUNT	823.39
INTERNET USA, LLC.	INTERNET SERVICE	89.90
JELCO CARPET CLEANING	CARPET CLEANING - CITY	60.00
JONES PLUMBING & HEATING	REPAIRS AND SUPPLIES	324.36
K.R.V.N. - FM	CONTRACT #2287501	157.50
KIDS DISCOVER	SUBSCRIPTION RENEWAL	19.95
KRIZ-DAVIS COMPANY	ELECTRICAL SUPPLIES	2,160.03
LEAGUE OF NEBR MUNIC	POSTAGE ON SAFETY TAPES	1.58
LEXINGTON ANIMAL CLINIC	ANIMAL CARE	399.60
LASWA	SOLID WASTE FEES	143.01
LEXINGTON COOP	CAR WASH	7.00
LEXINGTON HEALTH FUND	SELF-FUNDING	14,591.27
LEXINGTON LAUNDRY	JANUARY LAUNDRY CHARGES	52.00
LEXINGTON NEWSPAPERS, INC.	JANUARY NOTICES	57.70
LEXINGTON POSTMASTER	GGC POSTAGE	150.00
LEXINGTON PUBLIC LIBRARY	REPLENISH PETTY CASH	72.60
LEXINGTON, CITY OF	MO FEES AND FRANCHISE FEES	23,496.62
LEXIS PUBLISHING	CRIME & TRAFFIC MANUAL	38.63
LEXUS	TREE BOARD COPY CHARGES	51.50
LEXINGTON PAYROLL ACCOUNT	WAGES 27-Jan-99	74,441.76
SOCIAL SECURITY	SOC SEC(EMPLOYER PORTION)	5,615.06
FIRST NATIONAL BANK	EMP PENS(EMPLOYER PORT)	2,369.68
AMERICAN FUNDS	POLICE PENS(EMPLOYER PORT)	1,010.53

I.C.M.A.	EMP PENS(EMPLOYER PORT)	99.70
M W SALVAGE	REMOVE FREON	5.00
MEAD/BIG VALLEY LUMBER	MISC. SUPPLIES	268.64
MERIDIAN LIBRARY SYSTEM	CAMP COMECA 2 PEOPLE	90.00
MERIDIAN LIBRARY SYSTEM	SUMMER READING REG	20.00
MIDWAY SUPPLY	PARTS AND SUPPLIES	23.12
MILLER & ASSOCIATES	PROFESSIONAL SERVICES	2,564.00
MORRIS PRESS & OFC SPLS	MAILING LABELS	54.00
N C B O & I	CONF REGISTRATION - NELSON	25.00
NEBRASKA DEPT OF REVENUE	UTILITY BILLING TAXES	24,309.15
NEBRASKA DEPT. OF HHS LAB	CHEMICAL TESTING	99.40
NEBRASKA LIBRARY ASSOC	REGISTRATION LIBRARY ISSUES	30.00
NEIL, G.	SOFTWARE	284.11
NELSON, THOMAS R	JANUARY CITY HALL CLEANING	500.00
NEC, INC.	UNEMPLOYMENT MATERIAL	25.00
OMAHA LIFE INSURANCE CO	FIREMAN INSURANCE	120.40
PATTY'S HALLMARK	OFFICE SUPPLIES	134.81
PEAK INTEREST (PIZZA HUT)	CIVIL SERVICE MEETING	22.23
PEAVEY, LYNN COMPANY	ASSULT KITS	50.78
PEOPLE BOOKS	LIBRARY BOOKS	34.30
PICTURE THIS	LIBRARY SUPPLIES	17.00
PINNACLE BANK	AMBULANCE PAYMENT	15,245.47
PLATTE VALLEY AUTO MART	REPLACE ALTERNATOR	55.59
QUILL CORPORATION	OFFICE SUPPLIES	33.09
QWAL CORPORATION	LANDFILL TESTING	271.00
REACH ELECTRONICS	BATTERY	38.00
REPUBLIC VALLEY LIBR SYSTEM	REG MARKETING - SEWARD	12.00
S & W AUTO PARTS, INC.	PARTS AND SUPPLIES	30.29
SAFETY-KLEEN (PPM), INC.	OIL RECOVERY	326.81
SEWARD, JUSTIN	CLEAN LIBRARY JANUARY	225.00
SKARSHAUG TESTING	CLEAN AND TEST GLOVES	58.19
TIME LIFE BOOKS	LIBRARY BOOKS	44.96
TRI-COUNTY HOSPITAL	FITNESS CENTER CHARGES	180.00
U S WEST COMMUNICATIONS	JANUARY PHONE CHARGES	1,583.68
UNISYS CORPORATION	SOFTWARE	935.00
UNITECH	DEGREASER	308.32
UNITED STATES POSTAL SVC	POSTAGE FOR UTILITY	1,500.00
U-SAVE FOODS, INC.	UPS CHARGES	10.55
VIKING OFFICE PRODUCTS	OFFICE SUPPLIES	74.13
WAL-MART	MISC. SUPPLIES	147.99
WEBER & WEINHOLD	PROFESSIONAL SERVICES	2,857.50
WESCO DISTRIBUTION, INC.	ELECTRICAL SUPPLIES	7,791.11
AM SAFETY UTILITY CORP	WINCH LINE	344.54
BERNTSON OIL	FUEL-OIL-ANTIFREEZE	2,286.32
C & J SERVICES	YARD CLEAN-UP (906 N TYLER)	250.00
CASH-WA DISTRIBUTING	GGC FOOD	1,334.44
CENTRAL GARAGE FUND	LABOR-PARTS-OIL	5,136.04
C.B.S.A.	EMPLOYEE MEDICAL	850.87
C & S TRUCK & SALVAGE	PUMP AND KIT	335.68
DAWSON CO PUBLIC POWER	JANUARY POWER	1,716.58
ELECTRIC FIXTURE	ELECTRICAL SUPPLIES	1,695.60
GILLETTE/NEBR DAIRIES, INC.	GGC DAIRY	346.65
HAAS, T.O., TIRE CO. INC.	TIRES AND TIRE REPAIRS	363.68
HIPP WHOLESALE FOODS, INC.	GGC FOOD AND SUPPLEIS	659.84
JELCO CARPET CLEANING	CLEAN CARPETS GGC	152.00
LEXINGTON NEWSPAPERS, INC.	JANUARY NOTICES	227.50

LEXINGTON RECR PROGRAM	SPRT PRSNL(MEN'S BSKTBL)	680.00
MIDWAY SUPPLY	JANUARY PARTS AND SUPPLIES	243.93
MR. AUTOMOTIVE	JANUARY PARTS AND SUPPLIES	6.75
NEBR PUBLIC POWER DISTRICT	JANUARY POWER	361,450.92
PETTY CASH FUND	REPLENISH PTY CSH CTY OFC	48.30
PLATTE VALLEY COMMUN	INSTL NEW LHT BRS & REPAIRS	1,625.64
S & W AUTO PARTS	JANUARY PARTS AND SUPPLIES	1,071.13
U.S.WEST COMMUNICATIONS	JANUARY PHONE SERVICE	353.69
USHER PEST CONTROL	MONTHLY SPRAYING	24.00
VIKING OFFICE PRODUCTS	OFFICE SUPPLIES	42.03
	TOTAL CLAIMS	612,270.50

**SUNDAY LIQUOR
REQUEST:**

Mr. Greg Lauby, representing the Bottle Club Licenses in Lexington addressed the Lexington City Council reviewing the draft ordinance, and also reviewed times when other establishments that sell the came commodity are open in the surrounding communities He then presented two petitions of people who were in favor of having on sale liquor on Sunday, and requested the Council pass the proposed Ordinance. Discussion by the council resulted in a motion by Kohl, seconded by Klamm, to insert the times of 5:00 – 10:00 p.m. in the Ordinance. Roll call. Voting “aye” were Klamm, Kohl, Fagot. Voting “nay” were Cook and Wightman. Motion carried.

An Ordinance entitled “AN ORDINANCE TO AMEND SECTION 3-6 OF THE LEXINGTON CITY CODE; TO PROVIDE FOR SUNDAY SALES OF ALCOHOLIC LIQUOR FOR CONSUMPTION ON THE PREMISES; TO REPEAL ORIGINAL SECTION 3-6, AND ALL OTHER ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT HEREWITH; AND TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM” was read before the Council. Moved by Kohl, seconded by Klamm, to approve said Ordinance on First Reading. Roll call. Voting “aye” were Klamm, Kohl, Fagot. Voting “nay” were Cook and Wightman. Motion carried.

PUBLIC HEARING:

The Lexington City Council held a Public Hearing to consider the application of One Stop LLC dba Mac’s short Stop for a Class “D”, spirits wine beer off sale only, Liquor License. Mayor Fagot declared the Public Hearing open. Mr. Derrick addressed the Council stating that he is taking over the establishment from Mac’s Shortstop, and would like to have the Liquor License put in his name. Hearing no further comments, Mayor Fagot declared the public hearing closed. Moved by Wightman, seconded by Klamm, to recommend issuance of the license to LLC, dba Mac’s Short Stop for a Class “D”, spirits, wine, beer, off sale only, Liquor License. Roll call. Voting “aye” were Kohl, Cook, Klamm, Wightman, Fagot. Motion carried.

**SOLID WASTE
RESOLUTION:**

City Manager Bricker informed the Council of the problems that existed in getting a quorum at meetings for the Solid Waste Organization with 43 members. He said that the passage of the following resolution would greatly enhance the ability to have a forum. Upon the completion of his presentation, moved by Klamm, seconded by Wightman, that the following resolution be passed and approved. Roll call. Voting “aye” were Cook, Kohl, Wightman, Klamm, Fagot. Motion carried.

RESOLUTION 00-03

RESOLUTION FOR AMENDMENT OF INTER-LOCAL

AGREEMENT
LEXINGTON AREA SOLID WASTE AGENCY

BE IT RESOLVED BY THE LEXINGTON AREA SOLID WASTE AGENCY as follows:

1. That Article III (c.) of the Inter-local Agreement creating the Lexington Area Solid Waste Agency shall be amended by read as follows:

III. ORGANIZATION

- (c.) Quorum: A quorum of the Board shall consist of twelve (12) member representatives appointed to the Board.

2. That this Amendment will take effect upon approving resolutions adopted by at least three-fourths of the governing bodies constituting the membership. A certified copy of each approving resolution shall be submitted to and kept on file at the Agency's office.

Adopted by the Agency Board this 24th day of January, 2000.

Lexington Area Solid Waste Agency

Mike Lucas, Chairman

ATTEST:

Secretary

**ONE-SIX YEAR ROAD
PLAN REVIEW:**

Mr. Bob Blankenship addressed the Lexington City Council outlining the projects in the One and Six Year Road Plan that would be considered at a Public Hearing on February 22, 2000. After a review of the programs, no further action was taken.

FIRE DEPT. ROSTER:

The roster of the Lexington Fire Department was presented to Council's acceptance. Stating that there were three new members on the Fire Department Roster, and they were Kurt Krycki, Jason Swartz, and Bob Berry. Upon completion of the reading of the roster, moved by Wightman, seconded by Klamm, to accept the three new members to the Fire Department's Roster. Roll call. Voting "aye" were Kohl, Cook, Klamm, Wightman, Fagot. Motion carried.

ADJOURNMENT:

There being no further business to come before the Council, Mayor Fagot declared the meeting adjourned.

John Fagot
Mayor

Leon E. Malzahn
City Clerk

I, the undersigned City clerk for the City of Lexington, Nebraska, hereby certify that all of the subjects included in the foregoing proceedings were contained in the Agenda for the meeting, kept continually current and available for public inspection at the office of the City Clerk during regular business hours prior to said meeting; that the Minutes of the Mayor and Council of the City of Lexington, Nebraska, from which the foregoing proceedings have been extracted were in

written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Lexington City Clerk